

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1319 of 2020

Arising Out of PS. Case No.-150 Year-2019 Thana- AURAI District- Muzaffarpur

CHINTU KUMAR SAHNI @ SENTU SAHNI Son of Kuldeep Sahani,
Resident of Village - Mahuaara, P.S.- Aurai, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 06-07-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Aurai Police Station Case No. 150 of 2019, registered for the
offences punishable under Sections 304-B/34 of the Indian
Penal Code.

The allegation against the petitioner, as per the First
Information Report, is that the marriage of the daughter of the
informant was solemnized with petitioner about one year back.
It has further been alleged that after some time, the petitioner
and other family members started demanding Rs. 2,50,000/- in
cash and one motorcycle by way of dowry and due to non-



fulfillment of the same, the daughter of the informant was killed by the petitioner and others.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. He further submits that in fact, the petitioner and the deceased were residing out side the village and they had come to the village to attend a marriage ceremony and due to some dispute in the marriage between the petitioner and the deceased, she has committed suicide. He, referring to post-mortem examination report, submits that the doctor has opined the cause of death as asphyxia due to hanging. He, thus, submits that the petitioner may be released on bail.

On the other hand, learned Additional Public Prosecutor vehemently opposed the prayer for bail and submits that the deceased has died in her matrimonial home within one year of marriage and there is a presumption in law that the petitioner and other family members have committed the alleged offence.

On the last occasion, this Court had called for report from the learned Court below and in pursuance of the same, learned 18th Additional Sessions Judge, Muzaffarpur, has forwarded his report, vide letter no. 43, dated 09.06.2020, from



which it is apparent that charge has been framed against the petitioner on 07.02.2020 and summonses have already been issued for deposition of the prosecution witnesses.

After having heard learned Counsel for the parties and taking into consideration the totality of the matter, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after six months from today if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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